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U. S. Department of Health, Education, and Welfare
Public Health Service

EXTRACTS

FROM THE

VARIOUS LAWS

RELATIVE TO

THE PRESERVATION OF HEALTH

IN THE

CITY OF NEW-YORK.

PUBLISHED BY ORDER OF THE BOARD OF HEALTH.

NEW-YORK:

PRINTED BY SOUTHWICK AND PELSUE,

NO. 3, NEW-STREET.

1811.

EXTRACTS
FROM
HEALTH LAWS, &c.

EXTRACTS

From a Law authorizing the appointment of a City Inspector.

Passed, Dec. 28, 1807.

4. *And be it further ordained,* That a proper and competent person shall be appointed by the Common Council, and hold his commission at their pleasure, who shall be called and known by the name of the City Inspector, and who shall have it in charge to make diligent inquiry with regard to all nuisances, which may exist within the bounds of this city, and to receive all complaints which may be made to him upon such subjects, and upon his own view, or that of his assistant, to examine such premises, in which nuisances may be found, or may be supposed to exist, and draft and report to the Common Council, suitable ordinances or orders for their correction and removal, and see that the same are properly served upon the persons upon whom they are intended to operate. And further, that it shall likewise be the duty of the said City Inspector and his assistant, to attend the Board of Health, and be subject to such instructions as they may give in relation to nuisances. And further, it shall likewise

be the duty of the said City Inspector, to procure from the sextons, returns of the persons interred in the several burial grounds in this city, and in Potter's field, and shall cause the same to be published weekly, in such newspapers as are employed by the Common Council, in conformity with the law for procuring regular bills of mortality in this city. And further, it shall likewise be the duty of the said City Inspector, to obtain monthly reports of all births and marriages, that shall occur in this city, agreeably to the law for providing a register of births and marriages: and further, it shall likewise be the duty of the said City Inspector, to procure monthly reports from the inspectors of wood, and measurers of grain, lime, charcoal, boards, and lumber, agreeably to the several laws directing the same: and further, it shall be the duty of the said City Inspector, to receive the reports of the respective fire-wardens of the several wards in this city, and to carry into effect the several provisions contained therein, agreeably to the law for preventing and extinguishing fires in this city. And moreover, it shall be the duty of the said City Inspector, to execute such other duties which shall or may from time to time be imposed upon him by this board; and that the said City Inspector shall receive, as a compensation for his services, the annual salary of one thousand two hundred and fifty dollars, payable in equal quarterly payments.

5. *And be it further ordained*, That another competent person shall also be appointed, to act as an assistant, not only to the City Inspector in the performance of the duties relating, or which may be attached to his office, but also as an assistant to the Street Commissioner, in relation to his duties, and particularly in the due service of all ordinances for the regulation of streets, and the removal of obstructions therein, and shall also perform and execute such duties and services as may be enjoined upon him by the Board of Health. And further, that such person so to be appointed, shall

receive as a compensation for his services, the yearly salary of seven hundred and fifty dollars, payable in quarterly payments.

6. And in order to enable the said City Inspector and his assistant, the more effectually and beneficially to execute the duties assigned to them: *Be it further ordained*, That the said City Inspector and his assistant, shall respectively have power to visit and examine from time to time, all dwelling-houses, stores, and other buildings, cellars, vaults, yards, privies, and inclosures, and also, all streets, drains, common sewers, docks, and slips, within this city, in order to discover and examine into any nuisances which may exist therein. And if any person or persons shall obstruct the said City Inspector or his assistant, in visiting, examining, or entering into any such premises, for the purposes aforesaid, the offenders shall, for each offence, forfeit and pay the sum of *fifty dollars*, to be recovered with costs of suit.

A LAW

Concerning Taverns and Boarding Houses.

Passed, July 9, 1810.

1. *Be it ordained, by the Mayor, Aldermen, and Commonalty of the city of New-York, in Common Council convened*, That the City Inspector shall cause all taverns and boarding or lodging houses in this city, to be examined and reported to his office, and that the number of each house so reported, the tenant or occupier thereof, the number of boarders or lodgers therein, with their names and conditions, the street in which such house is situated, the number of apartments contained therein, and the apartments appropriated to the use of lodging rooms, be specified in such reports; and that the City Inspector, for the purpose of performing the duties enjoined by this ordinance, be authorized to

employ the persons appointed assistants to the Board of Health, and that copies of the said reports be, from time to time, furnished and delivered by the City Inspector to the Board of Health.

2. *And be it further ordained*, That the City Inspector with the aid of the persons appointed, or to be appointed as aforesaid by the Board of Health, shall determine the number of boarders and lodgers to be kept in each house reported as aforesaid, and cause notice thereof to be given to the tenant or occupier of such house.

3. *And be it further ordained*, That every keeper of a tavern, boarding or lodging house, who shall entertain or accommodate any boarder or lodger, above the number so allowed, shall forfeit and pay for each supernumerary boarder or lodger, the sum of twenty-five dollars, to be recovered by the said Mayor, Aldermen and Commonalty, for the use of the said city.

4. *And be it further ordained*, That it shall be the duty of the City Inspector, with the aid of the persons so appointed, or to be appointed by the Board of Health, to inspect, or cause to be inspected, all houses reported as aforesaid, as often as he shall judge necessary, and at least once a week from the first day of May to the first day of November, and at least once a month from the first day of November to the first day of May in every year: and the said Inspector shall prescribe such regulations, to be approved by the Common Council, as may be most conducive to the preservation of the health of the said city; printed copies of which shall be furnished to such taverns and boarding or lodging houses, as he shall deem proper.

5. *And be it further ordained*, That the keeper of every tavern or boarding house, whether the same be so reported or not, shall give notice in writing to one of the Commissioners of the Health Office, or to the Board of Health, of all and every boarder who may be sick in such house, within twelve hours after such boarder shall be taken sick or come into such house,

between the first day of June and the first day of November in each year, under the penalty of one hundred dollars for every omission or neglect, to be recovered in manner aforesaid, for the use of said city.

6. *And be it further ordained*, That the said Inspector shall make a weekly report to the Common Council, of his proceedings in the execution of this ordinance; and if any person shall resist or prevent the Inspector or any of his agents from inspecting as aforesaid, the offender shall forfeit for every offence, the sum of twenty-five dollars, to be recovered in the manner aforesaid, for the use of the said city.

7. *And be it further ordained*, That the law, entitled, "A law for regulating taverns, victualling houses, and boarding houses," passed, June 25th, 1810, be, and the same is hereby repealed.

By order of the Common Council,

J. MORTON, Clerk.

EXTRACT

From a Law to regulate Sales at Auction in the City of New-York.

Passed, Jan. 11, 1808.

2. *And be it further ordained*, That it shall and may be lawful for the said Auctioneers, to sell or expose for sale at auction, on any wharf in South-street, between the centre or outer edge of the said wharf, or in Wall-street, between Pearl-street and Front-street, or in front of the Albany Basin, opposite to the middle pier, from the west side of Greenwich-street to the centre of the square, all spirituous, vinous or malt liquors and cider, by the pipe, hogshead, or otherwise; sugar, molasses, flour, beef, pork, or fish, ship furniture, tackle and apparel, and all goods, wares and merchandise, saved from shipwrecks. And further, that it

shall and may be lawful for the said Auctioneers, to sell or expose for sale, as well in front of the Albany Basin between the limits aforesaid, as in Wall-street, between Pearl and Front-streets, all such articles as are usually sold in the last mentioned place, excepting household furniture, carriages, horses, or animals of any description, and provided always, that it shall not be lawful for any of the said Auctioneers, between the first day of June and the first day of November in each year, to sell or expose to sale, in either of the places of sale assigned by this law, salted beef or pork, dried or pickled fish, blubber, hides, or cotton-wool, under the penalty of *twenty-five dollars* for each offence.

EXTRACTS

From an Act to invest the Mayor, Aldermen, and Commonalty of the City of New-York, with adequate powers in relation to certain objects of importance to the police and health of the said city.

Passed, April 2, 1803.

WHEREAS the general welfare of the state is connected with the safety and health of the city of New-York, which has been visited by destructive and epidemic disease, the causes of which, as far as human wisdom can discover, ought to be removed, and such measures adopted, as, by divine favour, may prevent the return of that fatal malady.

And whereas it is represented to the legislature, that noxious exhalations from sunken and damp lots of ground, deep damp cellars, narrow and confined streets, foul and ill-constructed sinks, and privies unfinished, water-lots, foul slips, putrid and unsound provisions, and other evils of a similar nature, together with the practice of interring the dead in the heat of summer,

in improper places, and without due precautions, **are** among the causes to which the existence or malignity of that disease may be in a great measure attributed: Therefore, to remove the said evils,

1. *Be it enacted, by the People of the State of New-York, represented in Senate and Assembly, That the Mayor, Aldermen, and Commonalty of the said city, in Common Council convened, shall have full power and authority to make and pass such by-laws and ordinances as they shall from time to time deem necessary and proper, for the filling up, draining and regulating of any grounds, yards, or cellars within the said city, that may be sunken, damp or unwholesome, or which they may deem proper to fill up, drain, raise, lower or regulate; and also for causing all such lots of ground in the said city, adjoining to Hudson's river or to the East river or Sound, as they may from time to time think proper, to be filled up with wholesome earth or other solid materials, so far into the said rivers respectively, as they shall from time to time deem expedient for promoting the health of the said city; and for compelling the proprietors of such lots to make suitable bulk heads on, adjoining or opposite to such lots, and to raise and fill up the same with such materials and in such manner and within such times as the said Mayor, Aldermen and Commonalty shall from time to time direct; and also for filling up, altering and amending all public slips in the said city, at such times and in such manner as they may deem proper; and for filling up or altering and amending all sinks and privies within the said city, and for directing the mode of constructing them in future, and for causing subterraneous drains to be made from the same, where they may think it necessary; and for regulating, or if they find it necessary, preventing the interment of the dead within the said city; and for the better regulating of boarding houses and taverns in the said city, and the preventing the resort of crowds of disorderly persons to them; and for pre-*

venting the digging or turning up of made ground, or grounds formerly covered with water, during the summer months, without their permission.

2. *And be it further enacted*, That such penalties may be contained in such by laws or ordinances, as the said Mayor, Aldermen and Commonalty, shall or may from time to time think proper, in order to enforce a prompt and punctual compliance with the same, and for the punishment of all offenders in the premises, not exceeding *one hundred dollars* for each offence.

3. *And be it further enacted*, That it shall and may be lawful for the said Mayor, Aldermen and Commonalty, in Common Council convened, to appoint one or more persons as inspectors of lots in the said city, who shall have power at all times between sun-rise and sun-set, to enter into any cellar, lot of ground or building of any kind, and to examine the state thereof and to report the same to the Common Council, whenever he or they shall judge that the health of the city may require any alterations or regulations therein.

5. *And be it further enacted*, That it shall and may be lawful for the said Mayor, Aldermen and Commonalty, in all cases where they may deem it necessary, for the more speedy execution of the said by-laws and ordinances, or any of them, to cause all such works as may be necessary for any of the purposes aforesaid, or any part thereof, to be executed and done at their own expense, on account of the persons respectively upon whom the same may be assessed, and shall have full power and are hereby authorized to levy the same, with lawful interest, and all reasonable costs and expenses attending such proceedings, by distress and sale of the goods and chattels of the proprietors or occupants of the property upon or by reason of which any such sum shall have been assessed, or to recover the amount of every such expense, by action of debt, in any court of record, from the persons

respectively on whose account the same shall have been incurred, their respective heirs, executors or administrators, in all which actions they shall also recover lawful interest upon the said amount, with full costs of suit.

6. *And be it further enacted*, That the amount of every such expense which the said Mayor, Aldermen and Commonalty shall pay as aforesaid on account of others, shall be a real incumbrance on the houses and lots, in respect to which such assessments as aforesaid shall have been made, and shall bear lawful interest until paid; and that the same may be recovered, or the payment thereof, with costs, enforced in like manner as if the said houses and lots were mortgaged to the said Mayor, Aldermen and Commonalty, for the payment thereof.

7. *And be it further enacted*, That wherever any person shall die in the city of New-York, the physician or surgeon who shall have attended such person, as a physician or surgeon, during his or her last sickness, shall leave a note in writing, signed with his name, with some one of the family in the house where such person shall have died, specifying the name and apparent age of the deceased, and the disease of which he or she shall have died; and every physician or surgeon refusing or neglecting to make and deliver such note, shall forfeit the sum of *fifty dollars*; and that no sexton of any church, or other person having charge of any cemetery, vault or burying ground, in the said city, shall permit any dead body to be interred therein, until he has received such note, in writing, so signed as aforesaid; or in case no physician or surgeon shall have attended such deceased person, or the physician or surgeon who did attend shall have neglected or refused to leave such note, then a like note signed by some of the family in which such person shall have died, the contents of which note in writing, shall be entered by such sexton on a blank schedule, to be furnished by the clerk of the city and county aforesaid,

and delivered, together with the said schedule, on the Saturday in every week, to the said clerk, for publication, in such form as may be designated by any present or future ordinance of the Mayor, Aldermen and Commonalty of the city of New-York: and that every sexton, or other person having charge of any place of interment, neglecting or refusing to perform any of the duties required by this act, shall forfeit the sum of twenty-five dollars.

8. *And be it further enacted*, That every practitioner of physic in the said city, shall, whenever called upon for that purpose, by the Mayor, or in his absence, by the Recorder, give his opinion in writing, as to the existence of any infectious or contagious disease in the said city; and that the said Mayor may, when thereunto required, if such opinion will, in his opinion warrant it, deliver certificates under his seal of office, to masters of vessels sailing from the said city, stating the general health of the said city.

12. *And be it further enacted*, That whenever any putrid or unsound beef, pork, fish, hides or skins of any kind, shall be found within the said city, it shall be lawful for the said Mayor, Aldermen and Commonalty, or any one of the inspectors of those articles, or any of them, or any person or persons acting under them, or any of them, to cause the same to be destroyed, by starting it or casting them into the stream of the said rivers, below low water mark, and at a suitable distance from the shore, or in such other manner as the said Mayor, Aldermen and Commonalty, shall from time to time direct.

A LAW

*To prevent Nuisances, and to provide for the security
of the Public Health of the City of New-York.*

Passed January 11, 1808.

1. *Be it ordained, by the Mayor, Aldermen, and Commonalty of the City of New-York, in Common Council convened,* That the City Inspector, his assistant, or persons appointed under him for that purpose, shall and may, from time to time, enter into and examine, between sun-rise and sun-set, any building of any kind, cellar, lot of ground, alley, sink, vault or privy in the said city, which they may know or be informed are foul, damp, sunken or ill-constructed, and may direct the cleaning, altering and amending the same, and the removal of all nuisances in and about the said premises. And the City Inspector shall and may report, from time to time, to the Common Council, all such buildings, cellars, lots, alleys, sinks, vaults or privies, and public or private docks and slips, as shall or may, in his judgment, require to be cleansed, altered or amended, by the authority of the Common Council, for the security of the health of this city.

2. *And be it further ordained,* That no made ground or ground formerly covered with salt or stagnant water, within the said city, shall be turned up, or the surface thereof removed, at any time during the months of June, July, August and September, unless by application to the City Inspector, and special permission obtained from the Common Council, under the penalty of one hundred dollars for every offence.

3. *And be it further ordained,* That no person or persons shall have, use or make, or keep in his, her or their dwelling house, out-house, cellar, yard or any other place whatever, in any part of the said city to the southward of Grand-street, in a line running along

said street, from the East river to the outlet of Lispenard's meadow on Hudson's river, any noisome or offensive substance, nor any vat, pit or pool of standing water, whether from tanners, skinners, dyers, or any other use, under the penalty of *fifty dollars* for each offence.

4. *And be it further ordained*, That no tanners, skinners or other persons, shall bring to and keep in any part of the said city, south and west of Catherine-street and the Fresh Water, during the term of twenty-four hours, any undressed or uncurried hides, skins, or leather, or any blubber or other materials whatever, for dressing the same, which cause any noisome or offensive smell. under the penalty of *ten dollars* for every twenty-four hours the same shall be so kept. *Provided always*, That nothing in this clause contained, shall extend or be construed to affect any tanner or Skinner, vat or vats, or pits in the place commonly called Beekman's-Swamp, in the said city, which were made and placed there, on or before the twenty-ninth day of March, one thousand eight hundred and six.

5. *And be it further ordained*, That no oysters shall be brought into, or sold, or kept in the said city, between the first day of June and the first day of October in any year; and if any person do, or shall bring into the said city, any oysters, or do or shall have in his or her possession, in the said city, any oysters contrary to this law, such person shall forfeit and pay as a fine, *two dollars* for any quantity of such oysters so brought, sold or possessed as aforesaid, not exceeding *one hundred*, and in that proportion for any greater or less quantity.

6. *And be it further ordained*, That no person shall occupy or use any street, lane or alley in the said city, or erect any booth or platform in any such street, lane or alley for the purpose of laying, opening, or exposing to sale any oysters or other kind of shell-fish, or any other fish, provisions or goods of any kind, with-

out the permission of the Common Council of the said city, under the penalty of *five dollars* for every day.

7. *And be it further ordained*, That no person shall inter any corpse in any cemetery, or other place in the said city, unless in vaults or graves, that shall be at least six feet deep, and without removing, disturbing or exposing any other dead body or coffin, under the penalty of *one hundred dollars*: *And further*, That no corpse of any person, who may die of any contagious or pestilential disease, other than the small-pox or measles, shall at any time, be interred to the southward or westward of Pump and Nicholas streets, under the penalty of *one hundred dollars*, to be paid by every person offending in the premises, or assisting therein: And that if any porters or other persons, who may be employed in carrying the dead, during the months of June, July, August, September and October, to any place of interment, do, in passing through the street with a dead body, make use of, or pass on the side-walk of any street, every such porter shall, for every offence, forfeit and pay *ten dollars*.

8. *And be it further ordained*, That it shall be the duty of every butcher or other person, immediately after killing any beeves, calves, sheep, hogs, or other cattle, to destroy the offals, garbage and other offensive and useless parts thereof, or convey the same into the river or some other place, where the same shall not be injurious or offensive to the inhabitants, on pain of forfeiting for every such offence, the sum of *twenty-five dollars*.

9. *And be it further ordained*, That no person shall cast or leave exposed, the dead carcase of any horse, cow, hog, dog, or other animal, in any street, yard, lane or vacant lot within this city, or in the collect, or the adjacent grounds, or any other vacant space to the southward of the bounds of the ninth ward thereof, on pain of forfeiting for each offence, the sum of *ten dollars*: *And further*, That no person shall cart any dead carcase as aforesaid, in any dock or slip, but

shall cause the same to be towed out into the stream of the Hudson or East River, to the distance of at least three hundred feet, under the penalty of *ten dollars* for each offence.

10. *And be it further ordained*, That whenever any putrid or unsound beef, pork, fish, hides, or skins of any kind, or any other putrid or unsound substance shall be found within the said city, it shall be the duty of the City Inspector, his assistant, or any person appointed under him for that purpose, to cause the same to be destroyed, by casting them into the stream of the Hudson or East River, below low water mark, or to be disposed of in such other manner, as in their judgment, may most effectually secure the public health.

11. *And be it further ordained*, That no tub shall be removed from any necessary-house or privy, within the said city, except between the hours of eleven o'clock in the evening, and three o'clock in the morning, from the first day of May to the last day of September, and between the hours of ten o'clock in the evening and five o'clock in the morning, from the first day of October to the last day of April: And that no person shall remove the same at any other time, nor empty, cast, or lay the contents of any tub, or privy, in any slip or dock, or upon or within the distance of three feet of any wharf, or in any street, lane alley, lot or vacant space, to the southward of the bounds of the ninth ward of the said city, under the penalty of *ten dollars* for each offence.

12. *And be it further ordained*, That it shall not be lawful for any goat to go at large in any part of this city, under the penalty of *ten dollars*, to be recovered of the owner.

13. *And be it further ordained*, That if any offence shall be committed against this law, by any apprentice, servant or slave, the penalty in such case shall be recovered from and paid by the master or mistress of the person offending.

AN ACT

Relative to the Public Health, in the city of New-York.

Passed, March 9, 1805.

1. *Be it enacted by the People of the State of New-York, represented in Senate and Assembly,* That the powers granted in and by the thirty-first and thirty-second sections of the act, entitled "An act to provide against infectious and pestilential diseases," to the Commissioners of the Health-Office, be and are hereby transferred to the Mayor, Aldermen and Commonalty of the city of New-York, and that the said Mayor, Aldermen and Commonalty shall have power in their discretion, to remove or order the removal of all persons and things within the said city, infected by or tainted with pestilential matter, to such place or places as may in their opinion, most conduce to the preservation of the health of the said city; and that such penalties as may be contained in such by-laws or ordinances, relative to the powers hereby granted, as the said Mayor, Aldermen and Commonalty, shall from time to time judge proper, in order to enforce a prompt and punctual compliance with the same, and for the punishment of all offenders in the premises, not exceeding one hundred dollars for each offence.

2. *And be it further enacted,* That it shall and may be lawful for the said Mayor, Aldermen and Commonalty, to institute from time to time a Board of Health for the said city, consisting of the Commissioners of the Health-Office and such other persons as they may think proper, and to invest the said Board with such of the powers of the said Mayor, Aldermen and Commonalty, in relation to the public health, as they may judge proper, and to enforce a compliance with the orders of the said board, by the infliction of penalties not exceeding one thousand dollars for each offence.

The following is the 31st and 32d sections alluded to above.

31. *And be it further enacted,* That it shall be law-

ful for the said Commissioners of the Health Office, or a majority of them, as they shall judge advisable, to make and execute rules and orders for cleaning and scouring the streets, alleys, passages, curtilages, sewers, yards, cellars, vaults, sinks and other places where filth and corruption collect in the said city, and for removing all offensive, noxious or putrid articles or substances which may be stored or otherwise collected within the said city; and all necessary expences for carrying the said rules and orders into effect, where the same relate to the cleansing of such places as are not the property of private individuals, shall be deemed as part of the contingent expences of the said city, and the monies for defraying the same shall be raised in like manner as the other contingent expences of the said city; and where the same shall relate to the cleansing such places as are the property of individuals, such expences shall be paid by the owners or occupiers thereof; *Provided*, all such rules and orders shall be reported to and may be suspended or repealed at any time by the person administering the government of this state.

32. *And be it further enacted*, That whenever the city of New-York, or any part thereof, shall be annoyed or rendered foul by any manufactory, trade, work, or business, producing noxious vapours or highly offensive smells, or by any place where noxious or putrid substances shall be stored or collected within the said city, it shall be the duty of the said Commissioners or a majority of them, if in their opinion the public health or that of individuals shall be endangered thereby, to proceed forthwith to such place or places, and to make due inquiry and strict examination respecting the same; and that it shall be lawful for them or either of them, whenever it may be necessary, to require the aid or assistance of a justice of the peace, and constable in making of such inquiry and examination, who are hereby authorised and required to break open, whenever admittance cannot otherwise

be obtained, the door or doors of such place where such manufactory, trade, work or business is carried on, producing or affording such noxious vapour or highly offensive smell, or where such offensive substances are deposited ; and if the said commissioners, or a majority of them, shall judge any such manufactory, trade, work, business or repository to be carried on or kept in such manner as to be a nuisance, they shall declare it so in writing to the owner thereof, or in his absence, to such workman, clerk, keeper, or one of the family, as they may find on the premises, and at the same time shall require the removal, abatement or discontinuance of the said nuisance, as the case may require, within the time to be limited in the said writing ; and if on the expiration of the said time, the same order shall not have been complied with, it shall be the duty of the Mayor or Recorder of the said city, upon representation thereof to either of them, made by the said Commissioners, or a majority of them, immediately to issue a warrant under the hand and seal of the said Mayor or recorder, directed to the sheriff of the said city, commanding him forthwith without delay, to cause to be removed, abated or discontinued such nuisance ; and the person to whom such declaration and requisition in writing as aforesaid shall be made, shall besides, for not complying therewith, be considered as guilty of a misdemeanor, and on complaint being made thereof in writing, by any one or more of the said commissioners, to any one of the justices of the peace of the said city, it shall be the duty of such justice to bind the person so complained of in a recognizance, with sufficient surety, in the sum of *two hundred dollars*, for his appearance at the next general sessions of the peace in the said city, to answer to the said charge, and on due proof thereof it shall be lawful for the said court to impose a fine on the person or persons so offending, in a sum not exceeding *one hundred dollars*, out of which fine the ex-

penses of removing, abating, or causing to be discontinued such nuisance, shall be paid.

A LAW

For the establishment of a Board of Health.

Passed, April 8, 1811.

WHEREAS, by an Act of the Legislature of this State, entitled "An Act relative to the public health of the city of New-York," passed the ninth day of March, 1805, the Mayor, Aldermen and Commonalty of the said city, are empowered to institute from time to time, a Board of Health for the said City, consisting of the Commissioners of the Health Office, and such other persons as they may think proper, and to invest the said Board with such of the powers of the said Mayor, Aldermen and Commonalty, in relation to the public health, as they may judge proper, and to enforce compliance with the orders of the said Board, by the infliction of penalties not exceeding *one thousand dollars* for each offence: therefore,

1. *Be it ordained, by the Mayor, Aldermen, and Commonalty of the city of New-York, in Common Council convened,* That a Board of Health shall be and is hereby instituted, to consist of the Commissioners of the Health Office, and of the Mayor, or in his absence, the Recorder, with the Aldermen of the city, together with Doctors Joseph Bayley, Joshua E. R. Birch, and John H. Douglass, who shall assemble at such time and place, and as often as they may judge proper, to superintend and carry into effect all laws and ordinances of this state and of the Common Council, which at present exist or may hereafter be passed, providing against infectious and pestilential diseases, or which relate to the public health of this city. And the said Board are

hereby invested with all the powers of the said Mayor, Aldermen and Commonalty of the city, which regard the public health of said city, to be by them exercised in such manner as in their judgment and discretion, may best promote the important objects for which the said Board is instituted, and that any five of the said Board shall be a quorum to transact business.

2. *And be it further ordained*, That the said Board of Health shall make diligent inquiry with respect to all nuisances that may exist, and which they may deem obnoxious to the health and lives of the inhabitants of this city, and shall have full power to order the removal of the same at their discretion, under the several penalties in such cases made and provided.

3. *And be it further ordained*, That the said Board of Health, during the existence of any epidemical disease, or upon its probable approach, shall have power, at the public expense, to open the hospital at Bellevue, for the accommodation of the sick, and to make such rules and regulations for their reception, and also to determine what persons shall be entitled to admission, as they may think proper ; and moreover, that the said Board of Health, during the existence of any epidemic, shall have power to furnish and employ physicians, nurses, medicines, and other necessaries, not only for the use of the sick who shall have been removed into the said hospital, but also for the use of the sick and indigent of the city.

4. *And be it further ordained*, That the said Board of Health shall have power, in their discretion, to remove or order the removal of all persons and things within the said city, infected by or tainted with pestilential matter, to such place or places as may, in their opinion, most conduce to the preservation of the health of this city ; and in order to enforce a prompt and punctual compliance with the said order, all offenders in the premises shall be subject to a penalty not exceeding *two hundred and fifty dollars* for each offence.

5. *And be it further ordained*, That it shall be the duty of the City Inspector to observe such instructions as may be given to him by the Board of Health, in relation to nuisances, and to execute the several resolutions and orders of the said Board.

A true Copy.

J. MORTON, Clerk of Common Council.

THE FOLLOWING ARE THE
OFFICERS & MEMBERS
OF
THE BOARD OF HEALTH.

The Honourable DE WITT CLINTON, President.
Alderman PETER MESIER, First Ward,
— THOMAS CARPENTER, Second Ward.
— CHARLES DICKINSON, Third Ward.
— RICHARD CUNNINGHAM, Fourth Ward.
— WILLIAM HOGHLAND, Fifth Ward.
— WILLIAM TORREY, Sixth Ward.
— GEORGE BUCKMASTER, Seventh Ward.
— CALEB PELL, Eighth Ward.
— NICHOLAS FISH, Ninth Ward.
— JOHN PELL, Tenth Ward.
Dr. EDWARD MILLER, Resident Physician.
Dr. GARDNER JONES, Health Commissioner.
Dr. JOSEPH BAYLEY, Inspector of Shipping, 110, Liberty-st.
Dr. JOSHUA E. R. BIRCH, No. 274, Pearl-street.
Dr. JOHN H. DOUGLASS, No. 61, Chamber-street.
JACOB MORTON, Secretary.
JAMES HARDIE, Agent.

N. B. Reports and applications to be made to the Secretary, at the Mayor's Office, from 9 to 1 o'clock in the forenoon, or from 5 to 7 o'clock in the afternoon, at the office of the Board of Health, in the months of June, July, August, and September.

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